

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Agricultural Marketing Department – Departmental Proceedings initiated against Sri N.V. Satyanarayana, Ex-Special Grade Secretary & Person-in-Charge, A.M.C., Madnoor and Deputy Director of Marketing for allegation of irregularities in purchase of tarpaulins – Further action dropped – Orders – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No. 1218

Dated:29-10-2011

Read the following:-

1. Procs.No.X(3)293/2003, dt.02-12-2004 of C&DOAM, Hyderabad.
2. From Sri N.V. Satyanarayana, Ex-Special Grade Secretary & P-I-C, A.M.C., Madnoor, Written statement of defence,dt.22-03-2005.
3. From APAT Judgment, dt.10-02-2009 in O.A.No.8113/2008 filed by Sri N.V. Satyanarayana, Special Grade Secretary.
4. C.A.No.661/2009 in O.A.No.8113/2008 filed by Sri N.V. Satyanarayana, Special Grade Secretary.
5. From APAT interim order dt.17-06-2010 in O.A.No.3688/2010 filed by Sri N.V. Satyanarayana, Special Grade Secretary.
6. Govt. Memo No.3/Vig.II(1)/2001-3, dt.21-07-2010.
7. From G.P., APAT, letter No.CA.No.905/2010/SDK/Mktg.(S), dt.28-01-2011.
8. Govt.Memo No.3/Vig.II(1)/2001-4, dt.28-01-2011.
9. From High Court of A.P., Interim order dt.14-03-2011 in W.P.M.P. No.25729/2009.
10. Govt.Memo No.3/Vig.II(1)/2001-6, dt.31-05-2011.
11. From High Court of A.P.,Judgment dt.15-06-2011W.P.No.19719/2009.

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ORDER:

In a disciplinary case, in the reference 1st read above, the Commissioner & Director of Agricultural Marketing, Hyderabad had initiated disciplinary proceedings by framing article of charge against Sri N.V. Satyanarayana, Ex-Special Grade Secretary & Person-in-Charge, A.M.C., Madnoor for the alleged irregularities in purchase of tarpaulins at A.M.C., Madnoor.

2. In the reference 2nd read above, Sri N.V. Satyanarayana, Special Grade Secretary has submitted his written statement of defence denying the charge framed against him.

3. Aggrieved by the above disciplinary proceedings, Sri N.V. Satyanarayana, Special Grade Secretary has filed O.A.No.8113/2008 before the A.P. Administrative Tribunal. The Hon'ble Tribunal in its judgment dt.10-02-2009 in the O.A.No.8113/2008 has ordered as follows:-

“Having regard to the forgoing conclusions, the impugned Charge Memo No.X(3)293/2003, dt.02-12-2004 is set aside, and there shall be a consequential direction to the respondents to give effect to the recommendations of the D.P.C. for promotion of the applicant to the post of Deputy Director, as approved by the Govt. in GOMs.No.4, A&C(Mktg.II)Dept., dt.05-01-2004, as modified in GOMs.No.43, A&C Dept. dt.10-02-2004,with all consequential benefits”.

4. Sri N.V. Satyanarayana, Special Grade Secretary has filed C.A.No.661/2009 in O.A.No.8113/2008 for implementation of A.P. Administrative Tribunal orders. As requested by the Government, the Commissioner & Director of Agricultural Marketing, Hyderabad has filed W.P. No.19719/2009 in the A.P.High Court. Subsequently, Sri N.V. Satyanarayana has been given promotion as Deputy Director of Marketing notionally w.e.f. 04-11-2004, subject to outcome of the W.P.No.19719/2009.

5. Sri N.V. Satyanarayana, Special Grade Secretary has also filed another O.A.No.3688/2010 before Hon'ble Tribunal for considering his case for promotion to the post of Joint Director of Marketing. The Hon'ble Tribunal in its interim orders dt.17-06-2010, directed the respondents to consider the case of the applicant for promotion to the post of Joint Director of Marketing. While the matter is under examination, Sri N.V. Satyanarayana has filed C.A.No.905/2010 in O.A.No.3688/2010 in the Hon'ble Tribunal.

6. In the reference 6th read above, Government have appointed the Joint Director of Marketing(Vig.), O/o Commissioner & Director of Agricultural Marketing, Hyderabad as Inquiry Officer to conduct inquiry into the charge framed against Sri N.V. Satyanarayana, Ex-Special Grade Secretary & Person-in-Charge, A.M.C., Madnoor.

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7. In the reference 7th read above, the Government Pleader, A.P. Administrative Tribunal, has informed that the C.A.No.905/2010 in O.A.No.3688/2010 filed by Sri N.V. Satyanarayana, Deputy Director of Marketing has come up for hearing before Hon'ble Tribunal on 28-01-2011 and the Hon'ble Court instructed to stop the enquiry until further orders and directed to produce the orders of the same before Court on 29-01-2011. Accordingly, in the reference 8th read above, orders were issued stopping the inquiry against Sri N.V.Satyanarayana, Ex-Special Grade Secretary, A.M.C., Madnoor, until further orders.

8. The Hon'ble High Court in its order dt.14-03-2011 in W.P.M.P.No.25729/2009 in W.P.No.19719/2009 fled by the Commissioner & Director of Agricultural Marketing, Hyderabad have accorded interim suspension of A.P. Administrative Tribunal orders dt.10-02-2009 in O.A.No.8113/2008. Accordingly, in the reference 10th read above, orders were issued directing the Inquiry Officer & Joint Director of Marketing(Vig.), O/o Commissioner & Director of Agricultural Marketing, Hyderabad to continue the inquiry from the stage where it is stopped against Sri N.V. Satyanarayana, Ex-Special Grade Secretary & Person-in-Charge, A.M.C., Madnoor and Deputy Director of Marketing and furnish the inquiry report, immediately.

9. The Hon'ble High Court of A.P. in its judgment dt.15-06-2011 in W.P.No.19719/2009 have ordered as follows:-

“.....The Tribunal therefore aside the Charge Memo dt.02-12-2004 with direction to the respondents to give effect to the recommendations of the D.P.C. for promotion. In the circumstances, we do not see any ground to interfere with the impugned order. The W.P. is meritless and is dismissed”.

10. Government, after careful examination of the entire matter, have decided to implement the orders 15-06-2011 of the Hon'ble High Court of A.P. in W.P.No.19719/2009 and drop further action against Sri N.V. Satyanarayana, Ex-Special Grade Secretary & Person-in-Charge, A.M.C., Madnoor and Deputy Director of Marketing, duly withdrawing the inquiry as ordered in the reference 6th read above, in the above disciplinary case.

11. As such, Government hereby order to drop further action against Sri N.V. Satyanarayana, Ex-Special Grade Secretary & Person-in-Charge, A.M.C., Madnoor and Deputy Director of Marketing, duly withdrawing the inquiry as ordered in the reference 3rd read above, in the above disciplinary case. Hence, the Inquiry Officer & Joint Director of Marketing(Vig.), O/o Commissioner & Director of Agricultural Marketing, Hyderabad is requested not to proceed in the matter.

12. The Commissioner and Director of Agricultural Marketing, A.P., Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**I.Y.R. KRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri N.V. Satyanarayana, Ex-Special Grade Secretary &
Person-in-Charge, A.M.C., Madnoor and Deputy Director of Marketing.
(Through: The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad)

Copy to:-

The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad.
The Inquiry Officer & Joint Director of Marketing(Vig.),
O/o Commissioner & Director of Agricultural Marketing, Hyderabad.
The Presenting Officer & Deputy Director of Marketing,
O/o Commissioner & Director of Agricultural Marketing, Hyderabad.
(Through : The Commissioner & Director of Agricultural Marketing, Hyderabad)
The Government Pleaderfor Marketing, A.P.Administrative Tribunal, Hyderabad.
The Government Pleader for Agriculture, High Court of A.P., Hyderabad.
SC/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER